

**SAN DIEGO CITY COUNCIL
AGENDA FOR THE
SPECIAL COUNCIL MEETING OF
TUESDAY, DECEMBER 20, 2005 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ITEM-600: ROLL CALL

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

ITEM-601: First Amendment to Agreement with Electronic Evidence Discovery Inc. for
 Electronic Repository to Support City Audit Committee Document Productions.

CITY MANAGER’S RECOMMENDATION:

Adopt the following resolution:

(R-2006-395)

Authorizing the City Manager to execute the First Amendment to the Agreement between the City of San Diego and Electronic Evidence Discovery, Inc., for additional electronic files to be included in the electronic repository that the U. S. Securities and Exchange Commission (SEC), U. S. Attorney’s Office (USAO) and City Audit Committee (CAC) will use to conduct their independent investigations, for an amount not to exceed \$272,300, under the terms and conditions set forth in the First Amendment to the Agreement, together with any reasonably necessary modifications or amendments thereto which do not increase the scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the First Amendment to the Agreement, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for such expenditure are on deposit in the City Treasury.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)
RESOLUTIONS: (Continued)

ITEM-601: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

On September 12, 2005, the City Council approved Resolution Number R-300822 authorizing the City Manager to enter into an agreement with Electronic Evidence Discovery, Inc. (EED) to create an electronic document repository to support the City Audit Committee's independent investigation. Using the best information available at the time, City staff estimated that up to 2,175,000 paper documents and 160 gigabytes (GB) of electronic files would be produced and stored in this repository. Included within the electronic files are GroupWise Email archives, Microsoft and Corel Office documents and Adobe Acrobat (pdf) documents.

Extensive efforts on the part of the Audit Committee and City staff to obtain all relevant documents have resulted in an additional 80 GB of electronic files being compiled that were not included in the original cost estimate. City staff are also anticipating that the U. S. Attorney and U. S. Securities and Exchange Commission (SEC) will need online access to all or portions of the repository, resulting in an additional online production. The additional cost for EED to process, store and produce these documents online is \$272,300, bringing the total contract cost to \$999,800. With these additional documents, the electronic document repository being provided to the City Audit Committee will contain approximately one-half million electronic files totaling 237 GB in size, and another 1.9 million pages of scanned paper documents.

Ewell/Arellano/HS

Aud. Cert. 2600315.

Staff: Howard Stapleton – (619) 533-4766
Anita Noone – Assistant City Attorney

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)
RESOLUTIONS: (Continued)

ITEM-602: Amending the 2006 Legislative Calendar to Adjourn the Scheduled City Council Meeting of January 9 and 10, 2006.

MAYOR SANDERS' RECOMMENDATION:

Adopt the following resolution:

(R-2006-579)

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 2006 through December 31, 2006, to adjourn the regularly scheduled City Council meeting of January 9 and 10, 2006.

ADJOURNMENT